

DEPARTMENT OF SOCIAL SERVICES

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May 28, 1980

ALL-COUNTY INFORMATION NOTICE I- 54-80

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: THE REFUGEE ACT OF 1980

REFERENCE:

The purpose of this notice is to summarize the major provisions of the Refugee Act of 1980 (Public Law 96-212, March 17, 1980) and discuss the possible impact to the state and counties of this new federal approach to the provision of resettlement assistance to refugees. Specific state policies necessary to implement the Act are pending the release of federal instructions by the Department of Health and Human Services (DHHS).

Objectives

The objectives of the Act, as stated in the language of the law, are to "...provide a permanent and systematic procedure for the admission to this country of refugees of special humanitarian concern to the United States, and to provide comprehensive and uniform provisions for the effective resettlement and absorption of those refugees who are admitted." These objectives will be accomplished by the establishment of an annual quota for refugee admissions and a program to provide cash aid, medical assistance and special training and employment services to help speed refugee assimilation and assure the prompt attainment of self-sufficiency.

Admission of Refugees

The Act establishes a "normal flow" refugee quota of 50,000 persons per year for federal fiscal years 1980, 1981 and 1982. Thereafter, the President, after consultation with the Congress, will establish an annual quota for refugee admissions. The President may also increase the admission quota set for any year in response to unforeseen emergency situations. In addition, the Act directs the Attorney General to establish a procedure for granting asylum to aliens physically present in the United States, or a port of entry, if they are deemed to be refugees.

Comprehensive Program

The Act does not limit refugee admissions to any particular group, such as Indochinese or Cubans; its purpose is more global in scope and provides for

refuge to persons from any country who are viewed as refugees by federal authorities. We believe, however, that special consideration will be given to Indochinese admissions in the immediate future because of the President's commitment last year to admit 168,000 Indochinese refugees in federal fiscal year 1980. Thus, the President may request congressional consent to add to the "normal flow" quota to meet this commitment.

### Administrative Structure

The Act provides for the establishment of an Office of the Coordinator for Refugee Affairs. The Coordinator will be given the rank of Ambassador-at-Large and will report to the President. The Coordinator's office will be responsible for: international and federal interagency coordination of refugee admissions and resettlement; developing resettlement policy; presenting the administration's refugee policy to Congress; advising the President and other federal authorities; negotiating with foreign governments and international agencies on refugee issues; consulting regularly with states, localities and voluntary agencies on the sponsorship process and the intended distribution of refugees; and designing overall federal agency budget strategy.

Domestic resettlement will be managed by an Office of Refugee Resettlement within the Department of Health and Human Services. This office will function in consultation with and under the general policy guidance of the Coordinator for Refugee Affairs, and will fund and administer, either directly or through other federal agencies, domestic resettlement programs including: employment training and placement; language training; social services; cash assistance; and medical assistance and screening.

The California State Departments of Social Services and Health Services will continue to administer the services, cash and medical assistance programs through county welfare departments and public and private nonprofit service providers.

### Time-Limited Resettlement Assistance

The Act requires that the same range of services which have been available to Indochinese refugees be provided under the new comprehensive refugee program. One area of major impact, however, is that, with the exception of child welfare services provided to unaccompanied minors, full federal funding of refugee cash assistance, medical benefits and related administrative costs will be limited to a 36-month period beginning with the first month in which a refugee has entered the United States. Time-expired persons, those individuals whose time in residence exceeds 36 months, will be considered nonrefugees for assistance purposes.

Implementation of the time-limit provision will be delayed until April 1, 1981. Thus, all refugees currently receiving refugee related assistance are considered time eligible. On April 1, 1981, with the exception of Unaccompanied Minors Program recipients, all refugees in residence 36 or more months will become ineligible for special refugee cash and medical assistance. If these persons require continued public assistance, they must qualify for aid on the same basis as nonrefugees.

### Employment Registration Requirements

Time-eligible refugees, those persons with fewer than 36 months in residence, will be eligible for 100 percent federally supported cash and medical assistance. Refugee cash assistance to employable refugees will be conditioned on registration with an agency providing employment services and on the refugee's acceptance of appropriate offers of employment. Refugees will register with refugee employment projects where available, or, if no such agency is available, with the State Employment Development Department. Thus, refugees residing in areas served by refugee employment projects will, after implementation of the Act, register directly with these projects.

This policy will permit counties to effect applicable cash assistance sanctions based upon project reports of deregistration or refusals of job and training opportunities. The project registration requirements, however, apply only to refugees receiving assistance through the Refugee Assistance Program; refugee AFDC recipients will continue to comply with AFDC employment registration regulations.

### Cuban Refugee Program Phase-Down

The Act provides for the continuation of the Cuban Refugee Program phase-down which began on October 1, 1978. Under the phase-down, states and counties may claim reimbursement of the nonfederal share of costs of assisting Cuban refugees, at a declining rate, through FFY 1983. This phase-down will continue for all Cuban refugees who entered the United States before October 1, 1978. Cuban refugees who entered the United States after October 1, 1978 are expected to be assisted under the provisions of the Refugee Act of 1980.

### Anticipated Impact

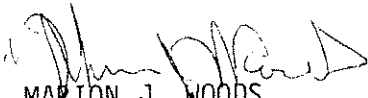
No changes in county operations related to refugee cash assistance are necessary at this time; however, counties may wish to notify assisted refugees whose time-eligibility will expire on April 1, 1981 of the existence of services presently offered by local refugee employment projects. It is suggested that these refugees: (1) be advised that the 36-month limitation on resettlement assistance will become effective on April 1, 1981; and (2) be urged to contact the employment service providers to apply for services presently being offered. Voluntary participation in employment projects should not be confused with the registration requirements of the new Act. This requirement will not become effective until the state receives implementation instructions from DHHS.

Counties should be aware that new federal policies are expected to require:

1. A case discontinuance or conversion effort to be completed by April 1, 1981; and routine case discontinuances or conversions every month thereafter.
2. Participation in an active program monitoring and evaluation system.
3. Implementation of a statewide data system that will require the ongoing submission of data by counties.

Counties will be notified of specific instructions and requirements for continued management of the refugee assistance programs as soon as possible. Questions regarding this notice may be directed to the County Adult Program Operations Bureau (916) 322-6636.

Sincerely,



MARION J. WOODS  
Director

cc: CWDA